

PROGRESS REPORT #3

Comm 10 CODE REVISION COMMITTEE

DATE: Wednesday, October 25, 2000

TIME: 9:00 – 2:30

PLACE: Room 3B, Thompson Commerce Center, Madison, WI

COMMITTEE MEMBER ATTENDANCE:

Bob Bartlett	Present
Tim Clay	Present
Bob Elvert	Absent
Paul Knowler	Present*
Dick Marx	Present
Dave Reinke	Present
Erin Roth	Absent
Fred Schultz	Present
Dale Safer	Present

STAFF ATTENDANCE:

Sheldon Schall, ERS Div. (608)266-0956
Darla LeGrave, ERS Div. (608)266-8076
Bob Bertram, ERS Div. (715)345-5269, Alternate
Mark Bennett, ERS Div. (608)266-8981
Duane Hubeler, Safety & Buildings Div. (608)266-1390
John Lippitt, Safety & Buildings Div. (608)266-1036

VISITORS:

Larry Sands	WI Federation of Cooperatives, Alternate
*Brian Hora	WI Petroleum Equipment Contractors Assoc., Alternate
Tom Reinsch	Petroleum Marketers Association of WI, Alternate

ADMINISTRATIVE ISSUES:

The meeting was called to order at 9:07 by Sheldon Schall. Introductions were made and the progress report from 9/19/00 was approved.

The Wisconsin Insurance Alliance has designated a member for this committee. Gary Pate should be joining at the next meeting.

SUBCOMMITTEE ISSUES:

Dave Reinke reported on the progress of the subcommittee on hazardous substance storage tank regulations.

Some of the key issues they identified are as follows:

- What is the official list of hazardous substances? (Tentative answer: 1999 CERCLA List)
- What size tank should be regulated?
- Is there a minimum chemical concentration to be regulated?
- Is there a minimum amount of chemical to be regulated?
- How will tanks be defined and designated? (e.g. process vs. storage, portable vs. permanent)
- Are there national design standards for these tanks?
- Should there be qualifications for tank designers or installers?
- Should rules developed now be made to apply retroactively?

The next step for this subcommittee will be to inventory and study any available codes, standards, laws, regulations and other available resources.

TANK LINING:

Sheldon spoke briefly on problems with lining underground tanks. He will attend a "summit" meeting in Springfield, IL on 10/26 and will have a summary at our next meeting. Basically, there are problems that appear very soon after the lining is completed. Often, the manufacturer will disavow any responsibility, saying the tank was improperly cleaned or there was some other problem with the installation. Tanks are sometimes lined when they should actually be replaced. Sometimes there is a lack of communication between the lining installer and the tank owner. The lining installer may complete a tank assessment prior to lining as required but may not report this information back to the owner.

TANK FENCING:

Sheldon brought up the issue of Comm 10 requiring a security fence around aboveground fuel tanks and distributed a handout for discussing the concerns and issues. Sheldon and Mark Bennett discussed concepts used to determine fence alternatives in Petition for Variance reviews. The committee supported modification to the existing rule and requested that the department present a code revision recommendation at the next meeting.

DRAFT #2 CODE REVISION TEXT:

The rest of the meeting was spent reviewing proposed changes that have been previously identified. Some of the issues that were identified as needing further research and/or discussion are as follows:

- For definitions specific to petroleum-related items, the PEI Lexicon should be referenced.
- Under requirements for tank closure, tank removal should also be addressed.
- Possible conflicts on the definition of "impermeable" need to be ironed out.
- Several of the definitions need further updating.

NEXT MEETING: The next meeting of the full Comm 10 Committee is scheduled for Thursday, December 7. Please mark your calendars.